

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
RUSSELL SPAIN,

Plaintiff,

20 **CIVIL** 4837 (NSR)(JCM)

-against-

JUDGMENT

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

-----X

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated January 13, 2022, Judge McCarthy's R & R is ADOPTED in its entirety. The Commissioner's motion for judgment on the pleadings is DENIED, Plaintiff's cross-motion for judgment on the pleadings is GRANTED, and this case is REMANDED to the Social Security Administration for further proceeding consistent with Judge McCarthy's R & R.

Dated: New York, New York
January 13, 2022

RUBY J. KRAJICK

BY:

Clerk of Court

K. mango

Deputy Clerk